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1 **UNITED STATES DISTRICT COURT**

2 **DISTRICT OF NEVADA**

3 JUDY WONG, et al.,

4 Plaintiff,

5 vs.

6 LAS VEGAS SANDS CORP.; et al.,

7 Defendants.

) Case No. 2:22-CV-00622-RFB-EJY

) **FOURTH STIPULATION AND**
) **[PROPOSED] ORDER TO EXTEND**
) **DEADLINES; LR 26-3**

) Complaint filed: April 13, 2022

) Answer Filed: March 27, 2023

) Joint Pretrial Order Due: February 14, 2024

) Before the Honorable Richard F. Boulware, II

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10 Pursuant to Local Rule LR 26-3, IT IS HEREBY STIPULATED AND AGREED by and
11 among Defendants, LAS VEGAS SANDS CORP., LAS VEGAS SANDS, LLC, and VENETIAN
12 CASINO RESORT, LLC ("Defendants"), by and through their counsel of record; Plaintiff, JUDY
13 WONG by and through her counsel of record; and WILLIAM WONG in pro per, that the current
14 discovery deadlines be extended in the above-referenced matter.
15

16 This is the fourth stipulation to extend discovery deadlines. An initial extension by
17 stipulation was ordered on December 20, 2022. The first stipulation to extend discovery deadlines
18 was necessary because Defendants had not received Plaintiff's medical records from her medical
19 providers despite Plaintiff providing defendants with HIPAA authorizations, and despite Defendants
20 exercising diligence. A second extension, pursuant to stipulation, was ordered on May 19, 2023. A
21 third stipulated extension was ordered on July 31, 2023. The current fact discovery deadline is
22 December 15, 2023.¹
23

24
25 ¹ The original fact discovery deadline was March 21, 2023 pursuant to the discovery plan approved
by the Court on August 19, 2022, which was then extended to September 18, 2023 in connection
with the second stipulation, which was then extended to December 15, 2023 by a third stipulation.

Discovery That Has Already Been Completed

On August 19, 2022, Defendants served their initial disclosure of documents and witnesses, pursuant to FRCP 26(a)(1). Defendants have served ten supplemental disclosures of documents and witnesses.

On August 19, 2022, Plaintiff, JUDY WONG served her initial disclosure of documents and witnesses, pursuant to FRCP 26(a)(1).

On September 30, 2022, Plaintiff, Judy Wong served written discovery requests on the Defendants. On November 11, 2022, Defendants served their responses to Plaintiff's written discovery requests.

On October 10, 2022, Plaintiff provided Defendants with HIPAA authorizations to obtain her medical records. Defendants have diligently attempted to obtain Plaintiff's records; however, as of December 14, 2022, Defendants had only received medical imaging films and reports, and Plaintiff's medical billing.

On October 25, 2022, Defendants provided Plaintiff with a proposed Stipulated Protective Order and Confidentiality Agreement, intended to protect certain documents to be disclosed to Plaintiff.

Plaintiff, JUDY WONG and Plaintiff WILLIAM WONG agreed to the proposed Stipulated Protective Order. The Stipulate Protective Order was signed by the Court on December 16, 2022.

On April 20, 2023, the parties exchanged initial expert disclosures/designations.

On July 18, 2023, Defendants took JUDY WONG'S deposition. On July 19, 2023, Defendants took WILLIAM WONG'S deposition.

On October 3, 2023, Defendants took JUDY WONG's treating medical provider's (Paul S. Hong, M.D.) deposition.

On October 11, 2023 Defendants received JUDY WONG'S Sutter Health physical therapy records dating back to 2014, via subpoena.

Discovery That Remains to be Completed

Defendants, exercising reasonable diligence, determined that they need JUDY WONG'S records dating back to 2007, particularly in connection with a 2007 MRI of her neck.²

Plaintiff has agreed to supplement her initial disclosures and responses to written discovery requests within thirty (30) days of the requested sixty-day extension.

Retrieval and review of JUDY WONG'S complete medical records are critical and necessary to all parties to supplement expert reports³, prepare for possible expert deposition(s), and for trial. Specifically, Defendants require additional time to receive JUDY WONG'S medical records dating back to 2007 so that they can provide the records to their expert who can then supplement his expert report.

JUDY WONG also requires additional time to review and supplement her discovery responses and disclosures: specifically, by providing the required verification(s), providing damages calculations, and submitting a request to Sutter Health Group to disclose to Defendants' counsel records that date back to 2007. JUDY WONG ALSO requires additional time to review and potentially update her discovery responses without the Defendants filing a motion to compel. JUDY WONG is committed to completing her discovery obligations on or before January 15, 2024.

² On or about May 4, 2023, Plaintiff JUDY WONG provided additional medical release authorizations to Defendants in connection with her Sutter Group Sacramento medical provider records so that Defendants could obtain copies. Despite this, Sutter Group Sacramento did not promptly provide records to Defendants. JUDY WONG has experienced her own difficulty obtaining complete medical records from her own health group, despite her repeated requests.

³ Instead of asking for a 90 day extension, the parties ask for a 60 day extension, with all sides committed to completing discovery within 60 days. However, in the event that cannot be accomplished by the parties, despite the exercise of reasonable diligence, it is possible the parties may seek another extension.

REASONS FOR NOT COMPLETING DISCOVERY

The parties require additional time to allow Defendants to obtain Plaintiff's relevant medical records given the prior history of difficulty of retrieving records from the Sacramento Sutter Health Group.

Given the size of this litigation and the issues at stake, the general outstanding procedural uncertainty, the need to get discovery from the parties that are directly relevant to the personal injury claims and defenses, and the inability to complete discovery despite diligence by the parties, the parties respectfully request that the Court order an extension of the existing deadlines, as proposed below.

PROPOSED MODIFICATION

Based on the foregoing, the parties jointly seek an order for an approximately 60-day extension of the current deadlines. Based on the foregoing, good cause supports an extension. The parties request extensions as follows:

Current Deadlines:

Fact discovery cut-off date: December 15, 2023

Dispositive motions: January 15, 2024

Joint pretrial order: February 14, 2024

Proposed New Deadlines:

Fact discovery cut-off date: February 15, 2024

Dispositive motions: March 15, 2024

Joint pretrial order: April 15, 2024

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This request for an extension order is made by all parties in good faith and not for the purposes of delay.

IT IS SO STIPULATED.

Dated this 21st day of November 2023

/s/ David P. Pritchett

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Dated this 21st day of November 2023

/s/ Manolo Olaso

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*Attorneys for Plaintiff Judy Wong
(e-signature expressly authorized on
November 20, 2023)*

Dated this 21st day of November 2023

/s/ William S. Wong

William S. Wong

In Pro Per

P.O. Box 466

Meadow Vista, California 95722

*(e-signature expressly authorized on
November 20, 2023)*

Dated this 21st day of November 2023

/s/ Erick Ferran

Erick Ferran, Esq.

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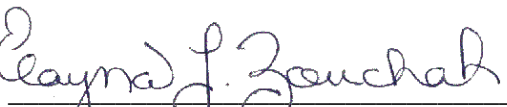
Las Vegas, Nevada 89119

(Local Counsel sponsoring

Johnny L. Griffin, III and Manolo Olaso)

*Attorneys for Plaintiff Judy Wong
(e-signature expressly authorized on
November 20, 2023)*

IT IS SO ORDERED:



ELAYNA J. YOUCHAH

UNITED STATES MAGISTRATE JUDGE

DATED: November 21, 2023

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